

## REMARKS

Claims 1 through 40 are in the application, with Claims 1-6, 8, 9, 11-14, 17, 21, 23, 25-27, 33, 34 and 40 having been amended, and with Claims 41 and 42 having been cancelled. Claims 1, 27, 33 and 40 are the independent claims herein. No new matter has been added. Reconsideration and further examination are respectfully requested.

### Claim Rejections under 35 USC § 112, Second Paragraph

Claims 8 and 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. To overcome this rejection, both claims have been made dependent on claim 5, which provides antecedent basis for the recital in claims 8 and 21 of “at least one of said localized areas”.

### Claim Rejections under 35 USC § 102(b)

Claims 27, 30-31 and 33-40 are rejected under 35 U.S.C. 102(b) as being anticipated by Logan et al. (“Logan”, USP 5,732,216).

Claim 27, as now amended, recites a “method for providing content” which includes “transmitting at least one wireless signal within a localized area, said at least one signal being indicative of availability of a plurality of content segments within said localized area” and “transmitting at least one of said plurality of content segments via a wireless signal within said localized area to a first device”. Claim 27 further recites that the first device is “a handheld communication device” which is “located within a room”. In addition the method of claim 27 includes “receiving said at least one of said plurality of content segments at said first device” and “transmitting said at least one of said plurality of content segments from said first device to a second device”. The second device is “a handheld communication device” and is located within the same room as the first device.

One of the current amendments to claim 27 specifies that the transmitting of the at least one content segment in the localized area is to a “first device” which is a handheld communication device and is within a room. Support for this amendment is found at page 10, lines 19-24 and page 11, lines 10-14.

Another current amendment to claim 27 further recites "receiving said at least one of said plurality of content segments at said first device". Support for this amendment is found at page 11, lines 10-12.

Still another current amendment to claim 27 further recites "transmitting said at least one of said plurality of content segments from said first device to a second device", which is within the same room with the first device and is a handheld communication device. Support for these amendments is found at page 11, lines 10-14 and page 17, lines 1-7.

The Logan reference is concerned with distributing audio programs from a host system to playback units. The reference does not teach or suggest retransmitting content from one handheld device to another within a room, as now recited in claim 27. Moreover, this feature would not be supplied by another reference such as Takeda, which is only concerned with relaying communications from one construction vehicle to another. Takeda would not lead one of ordinary skill in the art to modify Logan's system to provide for retransmission of content from one handheld device to another within a room.

It is therefore requested that the rejection of claim 27 be reconsidered and withdrawn in view of the current amendments to claim 27.

Claims 28-32 are dependent on claim 27 and are submitted as patentable on the same basis as claim 27. It is not believed that the rejection of claim 32 based on the Logan and Kauffman references raises any issue that requires further discussion, in view of the amendments to claim 27.

Claims 33 and 40 have been amended in substantially the same manner as claim 27 and are submitted as patentable on the same basis as claim 27. Claims 34-39 are dependent on claim 33 and also are submitted as patentable on the same basis.

#### Claim Rejections under 35 USC § 103(a)

Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Logan in view of Takeda et al. ("Takeda", USP 6,668,157).

Claim 1 has also been amended in substantially the same manner as claim 27 and is submitted as patentable on the same basis as claim 27. It is again noted that the Takeda reference is only concerned with relaying communications from one construction vehicle to

another, and would not lead one of ordinary skill in the art to modify Logan's system to provide for retransmission of content from one handheld device to another within a room.

Claims 2-26 are dependent on claim 1 and are submitted as patentable on the same basis as claim 1.

### C O N C L U S I O N

Accordingly, Applicants respectfully request allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (203) 972-3460.

Respectfully submitted,

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